

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEW JERSEY**

STEVEN J FRATO JR  
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[fratosteven@gmail.com](mailto:fratosteven@gmail.com)  
Plaintiff, *Pro Se*

STEVEN J. FRATO JR,  
Plaintiff,

vs.

CAPITAL MANAGEMENT SERVICES L.P.,  
A DELAWARE CORPORATION,  
Defendant

Docket No: 3:23-cv-04049

**[PROPOSED] ORDER DENYING DEFENDANT'S MOTION TO DISMISS**

This matter having been opened to the Court by Plaintiff Steven J. Frato Jr., Pro Se, in opposition to Defendant's Motion to Dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and the Court having considered the papers submitted and for good cause shown,

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,

ORDERED that Defendant's Motion to Dismiss the Complaint is hereby DENIED; and it is further

ORDERED that Defendant shall file an Answer to the Complaint within twenty-one (21) days of the date of this Order; and it is further

ORDERED that the parties shall proceed with discovery in accordance with the Federal Rules of Civil Procedure and any scheduling order issued by this Court.

SO ORDERED.

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Michael A. Shipp

United States District Judge